

### IN THE CLAIMS

Please amend the claims as follows. Added text is underlined and deleted text is either struck through or shown in double enclosing brackets. Applicants aver that no new matter has been added.

1. (Currently Amended) A network-based commerce system, said network commerce system comprising:

a processor coupled to a memory through a bus; and

a fixed price-setting process executed from the memory by the processor to:

determine that a high proxy bid submitted for an auction item is less than a reserve price set for the auction item, ~~wherein~~ the high proxy bid ~~[[is]]~~ being the highest current proxy bid for the auction item and the reserve price ~~[[is]]~~ being the minimum price at which a seller is willing to sell ~~[[an]]~~ the auction item, and

in response to the determining, cause the processor to automatically publish at least one of a proxy bid information set by a proxy bidder and the reserve price, ~~wherein~~ the proxy bid information ~~includes~~ including the highest price that the proxy bidder is willing to pay for the item.

2. (Previously Presented) The network-based commerce system of claim 1, wherein the fixed price process further causes the processor to automatically unpublish the proxy bid information upon the high proxy bid exceeding the reserve price.

3. (Currently Amended) The network-based commerce system of claim 1, wherein the fixed price process further causes the processor to facilitate a request for an adjustment of a fixed price offer associated with ~~[[the]]~~ a listing for the auction item, the request to be sent to the seller.

4. (Currently Amended) The network-based commerce system of claim 1, wherein the publication is performed during the ~~auction~~ price-setting process of an auction.

- 
5. (Currently Amended) The network-based commerce system of claim 1, wherein the publication is performed after the ~~auction~~ price-setting process.
6. (Previously Presented) The network-based commerce system of claim 1, said network commerce system further comprising:  
automatically notifying the bidder when the reserve price is published.
7. (Previously Presented) The network-based commerce system of claim 1, wherein the fixed price-setting process further causes the processor to publish the at least one of a proxy bid information and the reserve price for view by a specific buyer only.
8. (Original) The network-based commerce system of claim 1, wherein the fixed price-setting process further causes the processor, when publishing to display the maximum bid amount a buyer is willing to bid to purchase an item on the listing.
9. (Currently Amended) A network-based commerce system, said network commerce system comprising:  
means for determining that a high proxy bid submitted for an auction item is less than a reserve price set for the auction item, ~~wherein~~ the high proxy bid ~~[[is]]~~ being the highest current proxy bid and the reserve price ~~[[is]]~~ being the minimum price at which a seller is willing to sell ~~[[an]]~~ the auction item;  
means for automatically publishing at least one of a proxy bid information set by a proxy bidder and the reserve price in response to the determining, ~~wherein~~ the proxy bid information ~~includes~~ including the highest price that the proxy bidder is willing to pay for the item;  
and  
means for storing ~~[[the]]~~ a listing associated with the auction item.

- 
10. (Previously Presented) The network-based commerce system of claim 9, said network-based commerce system further comprising:  
a means for automatically unpublishing the proxy bid information upon the high proxy bid exceeding the reserve price.
11. (Currently Amended) The network-based commerce system of claim 9, said network-based commerce system further comprising:  
a means for facilitating a request for an adjustment of a ~~fixed-price~~ fixed-price offer associated with a seller of the listing for the item, the request to be sent to the seller.
12. (Currently Amended) The network-based commerce system of claim 9, wherein the publication is performed during ~~the auction~~ a price-setting process of an auction associated with the auction item.
13. (Currently Amended) The network-based commerce system of claim 9, wherein the publication is performed after ~~the auction~~ a price-setting process of an auction associated with the auction item.
14. (Previously Presented) The network-based commerce system of claim 9, said network-based commerce system further comprising:  
a means for automatically notifying a buyer when the reserve price is published.
15. (Original) The network-based commerce system of claim 9, wherein the publishing includes publishing for view by a specific buyer only.
16. (Currently Amended) The network-based commerce system of claim 9, wherein publishing includes displaying ~~[[the]]~~ a maximum bid amount a buyer is willing to bid to purchase ~~[[an]]~~ the auction item on the listing.

17. (Currently Amended) A machine-readable storage medium having instructions to cause a machine to perform a method to facilitate operation of a network-based commerce system, the method comprising:

determining that a high proxy bid submitted for an auction item is less than a reserve price set for the auction item, ~~wherein~~ the high proxy bid ~~[[is]]~~ being the highest current proxy bid for the auction item and the reserve price ~~[[is]]~~ being the minimum price at which a seller is willing to sell ~~[[an]]~~ the auction item; and

in response to the determining, automatically publishing at least one of a proxy bid information set by a proxy bidder and the reserve prices, ~~wherein~~ the proxy bid information ~~includes~~ including the highest price that the proxy bidder is willing to pay for the item.

18. (Currently Amended) The machine-readable storage medium of claim 17, wherein said method further ~~performs~~ comprises:

automatically unpublishing the proxy bid information upon the high proxy bid exceeding the reserve price.

19. (Currently Amended) The machine-readable storage medium of claim 17, wherein said method further ~~performs~~ comprises:

facilitating a request for an adjustment of a fixed price-offer associated with ~~[[a]]~~ the seller of ~~[[the]]~~ a listing ~~[[for]]~~ associated with the auction item, the request to be sent to the seller.

20. (Currently Amended) The machine-readable storage medium of claim 17, wherein the publication is performed during a ~~the auction~~ price-setting process of an auction associated with the auction item.

21. (Currently Amended) The machine-readable storage medium of claim 17, wherein the publication is performed after a ~~the auction~~ price-setting process of an auction associated with the auction item.

- 
22. (Currently Amended) The machine-readable storage medium of claim 17, wherein said method further ~~performs~~ comprises:  
automatically notifying a buyer when the reserve price is published.
23. (Currently Amended) The machine-readable storage medium of claim 17, wherein the publishing includes publishing for view by a specific buyer only.
24. (Currently Amended) The machine-readable storage medium of claim 17, wherein publishing includes displaying ~~[[the]]~~ a maximum bid amount a buyer is willing to bid to purchase ~~[[an]]~~ the auction item on ~~[[the]]~~ a listing associated with the auction item.
25. (Currently Amended) A method to facilitate operation of a network-based commerce system, the method including:  
determining that a high proxy bid submitted for an auction item is less than a reserve price set for the auction item, ~~wherein~~ the high proxy bid ~~[[is]]~~ being the highest current proxy bid for the auction item and the reserve price ~~[[is]]~~ being the minimum price at which a seller is willing to sell ~~[[an]]~~ the auction item; and  
in response to the determining, automatically publishing at least one of a proxy bid information set by a proxy bidder and the reserve price, ~~wherein~~ the proxy bid information ~~includes~~ including the highest price that the proxy bidder is willing to pay for the auction item.
26. (Previously Presented) The method of claim 25, said method further comprising:  
automatically unpublishing the proxy bid information upon the high proxy bid exceeding the reserve price.
27. (Currently Amended) The method of claim 25, said method further comprising:  
facilitating a request for an adjustment of a fixed-price offer associated with the ~~[[a]]~~ seller of ~~[[the]]~~ a listing ~~[[for]]~~ associated with the auction item, the request to be sent to the seller.

28. (Currently Amended) The method of claim 25, wherein the publication is performed during a ~~the auction~~ price-setting process of an auction associated with the auction item.
29. (Currently Amended) The method of claim 25, wherein the publication is performed after a ~~the auction~~ price-setting process of an auction associated with the auction item.
30. (Previously Presented) The method of claim 25, said method further comprising:  
automatically notifying a buyer when the reserve price is published.
31. (Original) The method of claim 25, wherein the publishing includes publishing for view by  
a specific buyer only.
32. (Currently Amended) The method of claim 25, wherein publishing includes displaying  
[[the]] a maximum bid amount a buyer is willing to bid to purchase an item on the listing.